

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION**

Brian W. Rinker,

Civil No. 06-2195 MJD/AJB

Petitioner,

v.

ORDER

R.L. Morrison,

Respondent.

Based upon the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan dated June 29, 2006, with all the files and records, and no objections having been filed to said Recommendation, **IT IS HEREBY ORDERED** that petitioner Brian Rinker's Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 is **denied as moot** [Docket No. 1]. The petitioner's eligibility for halfway house placement without regard to 28 C.F.R. §§ 570.20 and 570.21 has already been considered and placement has been rejected.

Dated: July 27, 2006

s / Michael J. Davis
Michael J. Davis
United States District Court Judge